

BEFORE THE BOARD OF MEDICAL EXAMINERS

IN THE STATE OF ARIZONA

In the Matter of

RICHARD REID, M.D.

Holder of License No. **19106**
For the Practice of Medicine
In the State of Arizona.


Investigation No. 12273

**CONSENT AGREEMENT FOR
ORDER OF PROBATION**

IT IS HEREBY AGREED by and between Richard Reid, M.D., holder of License No. 19106, and the Arizona Board of Medical Examiners (Board), that the accompanying Findings of Fact, Conclusions of Law and Order be entered in the above-entitled matter and be effective as of the date issued.

Dr. Reid acknowledges that any violation of this Consent Agreement constitutes unprofessional conduct within A.R.S. § 32-1401(25)(r), and will result in his license being automatically summarily suspended pursuant to A.R.S. § 32-1451(D). Alternatively, Dr. Reid may surrender his Board license if he admits to misconduct and so stipulates, pursuant to A.R.S. § 32-1433; however, the Board reserves the authority to take disciplinary action and therefore not grant a requested surrender of license.

In the event of Dr. Reid's Board license being revoked or surrendered he agrees that he will not reapply for a license for five (5) years from the date of revocation or surrender. Furthermore, by signing this Consent Agreement, Dr. Reid waives and relinquishes any right to appeal from or challenge this Order by initiating any type of administrative or judicial review of this Order.


RICHARD REID, M.D.

Dated: 5/30/2000

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the state of Arizona.

2. Richard Reid, M.D. is the holder of License No. 19106 for the practice of allopathic medicine in the state of Arizona.

3. Booking records and information from the Phoenix Police Department show Dr. Reid has the following arrest record: one misdemeanor arrest for Driving Under the Influence (DUI) on 10/8/93 and two felony DUI arrests on 4/1/95 and 5/15/95.

4. Scottsdale Police records show Dr. Reid was arrested for DUI on 3/9/97 and served a 120 day jail sentence.

5. On 2/1/00 Dr. Reid contacted Compliance Officer Mike Zakrzewski at the Board's offices and advised Mr. Zakrzewski he wanted to "self-report" his abuse of the narcotic drug cocaine. He stated he began using cocaine in December 1999 or early January 2000.

6. During the latter part of January John C. Lincoln administrative staff asked Dr. Reid to submit to a urinalysis due to unexcused absences and behavioral problems. Dr. Reid submitted to the test which showed positive for cocaine. Dr. Reid's hospital privileges were suspended.

7. On 3/3/00 Dr. Reid was arrested and booked into the Maricopa county Sheriff's Office Madison Street Jail for failure to pay child support. Dr. Reid posted \$10,000 bail and was released from jail.

8. On 4/14/00 BOMEX received a copy of an order of non-compliance from Judge Bethany Hicks' court. This was a contempt order against Dr. Reid for failing to appear for a hearing on April 4, 2000. A new civil arrest warrant was issued setting another bond at \$10,000, with the payment to be applied to his past-due child support.

9. Dr. Reid entered admitted himself to Chandler Valley Hope for a 30 day inpatient treatment program from February 4 through March 3, 2000.

10. This matter was presented to the Board for final review and approved as part of its public meeting agenda on June 21-23rd, 2000.

CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Richard Reid, M.D.

2. Dr. Reid's actions as identified in paragraphs 3 through 8 above constitute unprofessional conduct as identified in A.R.S. § 32-1401(25)(a), § 32-1401(25)(d), § 32-1401(25)(f),

3. Pursuant to A.R.S. § § 32-1403(A)(5), § 32-1451(F) and § 32-1452(A), the Board may enter the following order.

ORDER

1. Dr. Reid shall be issued a Decree of Censure for the above described unprofessional conduct.

2. Dr. Reid's Board license shall be placed on probationary status for five (5) years with the following terms and conditions:

A. In the event that Richard Reid, M.D., violates any term of his probation, his license will automatically be summarily suspended. Alternatively, Dr. Reid may request Cancellation of his Board license if he admits to misconduct and so stipulates pursuant to A.R.S. § 32-1433. If his Board license is revoked he shall be prohibited from reapplying for a license for five (5) years.

B. Dr. Reid shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions

1 of probation. The declarations shall be submitted on or before the 15th of March, June,
2 September and December of each year.

3 C. Dr. Reid shall bring his child support payments current within six months of
4 the effective date of this order and shall keep them current thereafter.

5 D. Richard Reid, M.D. shall promptly participate in the Monitored Aftercare
6 Program ("MAP") for the treatment and rehabilitation of physicians who are impaired by
7 alcohol or drug abuse. The terms and conditions of MAP are as follows:

8 I. DEFINITIONS

9 "**Medication**" means "prescription-only drug, controlled substance, and over-the
10 counter preparation, other than plain aspirin and plain acetaminophen."

11 "**Emergency**" means "a serious accident or sudden illness that, if not treated
12 immediately, may result in a long-term medical problem or loss of life."

13 II. TERMS

14 1. **Participation.** Dr. Reid shall promptly enroll in and participate in the Board's
15 confidential substance abuse treatment and rehabilitation program (the "program") in
16 accordance with this Consent Agreement. Dr. Reid shall remain in the program for a
17 period of five years from the Consent Agreement's effective date.

18 2. **Group Therapy.** Dr. Reid shall attend the program's group therapy sessions
19 one time per week for the duration of this Consent Agreement, unless excused by the
20 group therapist for good cause such as illness or vacation. Dr. Reid shall instruct the
21 program group therapist to release to the Board, upon its request, all records relating to his
22 treatment, and to submit monthly reports to the Board regarding attendance and progress.
23 The reports shall be submitted on or before the 10th day of each month.

24 3. **12 Step or Self-Help Group Meetings.** Dr. Reid shall attend ninety (90) 12-
25 step meetings or other self-help group meetings appropriate for substance abuse and

1 approved by the Board, for a period of ninety (90) days beginning not later than either (a)
2 the first day following his discharge from chemical dependency treatment or (b) the date of
3 this Consent Agreement.

4 4. Following completion of the ninety (90) meetings in ninety (90) days, Dr. Reid
5 shall participate in a 12-step recovery program or other self-help program appropriate for
6 substance abuse as recommended by the group therapist and approved by the Board. Dr.
7 Reid shall attend a minimum of three (3) 12-step or other self-help program meetings per
8 week.

9 5. **Board-Approved Primary Care Physician.** Dr. Reid shall promptly obtain a
10 primary care physician and shall submit the name of the physician to Board staff in writing
11 for approval.

12 6. The Board-approved primary care physician shall be in charge of providing
13 and coordinating Dr. Reid's medical care and treatment. Except in an *Emergency*, Dr.
14 Reid shall obtain his medical care and treatment only from the Board-approved primary
15 care physician and from health care providers to whom the Board-approved primary care
16 physician refers Dr. Reid from time to time. Dr. Reid shall request that the Board-
17 approved primary care physician document all referrals in the medical record.

18 7. Dr. Reid shall promptly inform the Board-approved primary care physician of
19 his rehabilitation efforts and provide a copy of this Consent Agreement to that physician.
20 Dr. Reid shall also inform all other health care providers who provide medical care or
21 treatment that she is participating in the Board's rehabilitation program.

22 8. **Medication.** Except in an *Emergency*, Dr. Reid shall take no *Medication*
23 unless the *Medication* is prescribed by his Board-approved primary care physician or other
24 health care provider to whom the Board-approved primary care physician makes referral.
25 Dr. Reid shall not self-prescribe any *Medication*.

1 **9.** If a controlled substance is prescribed, dispensed, or is administered to Dr.
2 Reid by any person other than the Board-approved primary care physician, she shall notify
3 the Board-approved primary care physician in writing within 48 hours. The notification
4 shall contain all information required for the medication log entry specified in paragraph 10.
5 Dr. Reid shall request that the notification be made a part of the medical record. This
6 paragraph does not authorize Dr. Reid to take any *Medication* other than in accordance
7 with paragraph 8.

8 **10. Medication Log.** Dr. Reid shall maintain a current legible log of all
9 *Medication* taken by or administered to him, and shall make the log available to the Board
10 and its staff upon request. For *Medication* (other than controlled substances) taken on an
11 on-going basis, Dr. Reid may comply with this paragraph by logging the first and last
12 administration of the *Medication* and all changes in dosage or frequency. The log, at a
13 minimum, shall include the following:

- 14 a. Name and dosage of *Medication* taken or administered;
- 15 b. Date taken or administered;
- 16 c. Name of prescribing or administering physician;
- 17 d. Reason *Medication* was prescribed or administered.

18 This paragraph does not authorize Dr. Reid to take any *Medication* other than in
19 accordance with paragraph 8.

20 **11. No Alcohol or Poppy Seeds.** Dr. Reid shall not consume alcohol or any
21 food or other substance containing poppy seeds.

22 **12. Biological Fluid Collection.** During all times that Dr. Reid is physically
23 present in the state of Arizona and such other times as board staff may direct, Dr. Reid
24 shall promptly comply with requests from Board staff, the group therapist, or the program
25 director to submit to witnessed biological fluid collection. If Dr. Reid is directed to contact
an automated telephone message system to determine when to provide a specimen, she

1 shall do so within the hours specified by Board staff. For the purposes of this paragraph,
2 in the case of an in-person request, "promptly comply" means "immediately". In the case
3 of a telephonic request, "promptly comply" means that, except for good cause shown, Dr.
4 Reid shall appear and submit to specimen collection not later than two hours after
5 telephonic notice to appear is given. The Board in its sole discretion shall determine good
6 cause.

7 **13.** Dr. Reid shall provide Board staff in writing with one telephone number which
8 shall be used to contact him on a 24 hours per day/seven days per week basis to submit to
9 biological fluid collection. For the purposes of this section, telephonic notice shall be
10 deemed given at the time a message to appear is left at the contact telephone number
11 provided by Dr. Reid. Dr. Reid authorizes any person or organization conducting tests on
12 the collected samples to provide testing results to the Board and the program director.

13 **14.** Dr. Reid shall cooperate with collection site personnel regarding biological
14 fluid collection. Repeated complaints from collection site personnel regarding Dr. Reid's
15 lack of cooperation regarding collection may be grounds for termination from the program.

16 **15. Payment for Services.** Dr. Reid shall pay for all costs, including
17 personnel and contractor costs, associated with participating in the Monitored
18 Aftercare Program (MAP) at time service is rendered, if required, or within 30 days
19 of each invoice sent to him.

20 **16. Examination.** Dr. Reid shall submit to mental, physical, and medical
21 competency examinations at such times and under such conditions as directed by the
22 Board to assist the Board in monitoring his ability to safely engage in the practice of
23 medicine and compliance with the terms of this Consent Agreement.

24 **17. Treatment.** Dr. Reid shall submit to all medical, substance abuse, and
25 mental health care and treatment ordered by the Board, or recommended by the program
director.

1 **18. Obey All Laws.** Dr. Reid shall obey all federal, state and local laws, and all
2 rules governing the practice of medicine in the state of Arizona.

3 **19. Interviews.** Dr. Reid shall appear in person before the Board and its staff
4 and committees for interviews upon request, upon reasonable notice.

5 **20. Address and Phone Changes, Notice.** Dr. Reid shall immediately notify
6 the Board in writing of any change in office or home addresses and telephone numbers.
7 Dr. Reid shall provide Board staff at least three business days advance written notice of
8 any plans to be away from office or home for more than five (5) consecutive days. The
9 notice shall state the reason for the intended absence from home or office, and shall
10 provide a telephone number that may be used to contact Dr. Reid.

11 **21. Relapse, Violation.** See paragraph A of this Order.

12 **22. Notice Requirements.** Dr. Reid shall immediately provide a copy of this
13 Consent Agreement to all hospitals and free standing surgery centers at which Dr. Reid
14 has any privileges. Within 30 days of signing this Consent Agreement, Dr. Reid shall
15 provide the Board with a signed statement that she has complied with this notification
16 requirement.

17 Dr. Reid is further required to notify, in writing, all hospitals and free standing
18 surgery centers at which she has any privileges of a chemical dependency relapse, use of
19 drugs or alcohol in violation of this Consent Agreement and/or entry into a treatment
20 program. Dr. Reid shall provide the Board, within seven days of any of these events,
21 written confirmation that she has complied with this notification requirement.

22 **23. Public Record.** This Consent Agreement is a public record.

23 **24. Out-of State.** In the event Dr. Reid resides or practices medicine in a state
24 other than Arizona, she shall participate in the physician rehabilitation program sponsored
25 by that state's medical licensing authority or medical society. Dr. Reid shall cause the
other state's program to provide written reports to the Board regarding his attendance,

1 participation, and monitoring. The reports shall be due on or before the 15th day of March
2 and September of each year, until the Board terminates this requirement in writing.

3 **25.** This Order supercedes all previous consent agreements, stipulations, and
4 orders between the Board and Richard Reid, M.D.

5 DATED this 27 day of June, 2000.

6 BOARD OF MEDICAL EXAMINERS
7 OF THE STATE OF ARIZONA

8 (SEAL)

9 By: Tom Adams
10 CLAUDIA FOUTZ
Executive Director
TOM ADAMS
Assistant Director, Regulation

11 Original of the foregoing Consent Agreement For
12 Order of Probation mailed by certified
13 mail **for signature** this _____ day of _____, 2000 to:

14 Richard Reid, M.D.
15 4401 E. MOUNTAIN SAGE DR.
Phoenix AZ 85044

16 _____
Coordinator, Monitored Aftercare Program

17
18 Executed Copy of the foregoing **signed** Agreement For
19 Order of Probation mailed by certified
mail this 29th day of June 2000 to:

20 Richard Reid, M.D.
21 4401 E. MOUNTAIN SAGE DR.
Phoenix AZ 85044

22 Kathleen Mueller
23 Coordinator, Monitored Aftercare Program
24
25